

1 Timothy R. Titolo, Esq.
2 Nevada Bar No. 003617
3 TITOLO LAW OFFICE
4 9950 West Cheyenne Ave.
5 Las Vegas, Nevada 89129
6 (702) 869-5100
7 tim@titololaw.com

8 John D. McKay, Esq.
9 *Admitted pro hac vice*
10 PARK AVENUE LAW LLC
11 127 W. Fairbanks Ave. No. 519
12 Winter Park, Florida 32789
13 (800) 391-3654
14 johndmckayatty@gmail.com

15 *Attorneys for Plaintiffs*

16
17
18
19
20
21
22
23
24
25
26
27
28
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

PETER DELVECCHIA, *et al.*,

Plaintiffs,

vs.

FRONTIER AIRLINES, INC., *et al.*,
Defendants.

Case No: 2:19-CV-01322-KJD-DJA

PLAINTIFFS' RULE 41(a)(1)(A)(i)
NOTICE OF DISMISSAL OF
DEFENDANT SHAWN MULLIN

Pursuant to the authority of Fed. R. Civ. P. 41(a)(1)(A)(i) and the Ninth Circuit's holding in *Pedrina v. Han Kuk Chun*, 987 F.2d 608 (9th Cir. 1993), Plaintiffs, Peter DelVecchia individually and as next friend of A. D., a minor, by counsel, hereby give notice of their dismissal of their claims against **Defendant Shawn Mullin, in his individual capacity, without prejudice**. Per the holding in *Pedrina*, this Notice of Dismissal applies solely to Defendant Shawn Mullin and does not dismiss the action as a whole, or Plaintiffs' claims against any other Defendant. Moreover, this Notice of

NOTICE OF DISMISSAL OF DEFENDANT SHAWN MULLIN

Dismissal does not affect any liability of Defendant Frontier Airlines, Inc. under the doctrine of *respondeat superior* for the negligence and/or intentional acts of its employee Shawn Mullin.

DATED this 28th day of May, 2020.

/s/ John D. McKay

John D. McKay (admitted *pro hac vice*)
PARK AVENUE LAW LLC
127 W. Fairbanks Ave., No. 519
Winter Park, FL 32789
johndmckayatty@gmail.com
(800) 391-3654

Timothy R. Titolo (Nev. Bar. No. 3617)
TITOLO LAW OFFICE
9950 West Cheyenne Avenue
Las Vegas, Nevada 89129
(702) 869-5100
tim@titololaw.com

***Attorneys for Plaintiffs Peter DelVecchia
And A.D., a Minor***